

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ANDERSON KILL & OLICK, P.C.,

Plaintiff,

v.

08-CV-4565 (AKH)

BRAY & GILLESPIE, INC.; BRAY &  
GILLESPIE MANAGEMENT, LLC; CHARLES  
A. BRAY and JOSEPH GILLESPIE,

NOTICE OF MOTION FOR  
ADMISSION OF M. DUNCAN  
GRANT PRO HAC VICE

Defendants.

-----X

PLEASE TAKE NOTICE that, upon the accompanying Affidavit of Suzanne M. D'Amico, sworn to May 27, 2008, and the exhibits annexed thereto, defendants Bray & Gillespie, Inc.; Bray & Gillespie Management, LLC; Charles A. Bray and Joseph Gillespie will move this Court before the Honorable Alvin K. Hellerstein, at the United States Courthouse, 500 Pearl Street, New York, New York, for an Order pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, allowing the admission of M. Duncan Grant, a member of the law firm of Pepper Hamilton LLP and a member in good standing of the Bars of the Commonwealth of Pennsylvania and of the State of Delaware, as attorney to the bar of this Court *pro hac vice* to argue and try this case, in whole or in part, as counsel. There are no pending disciplinary proceedings against M. Duncan Grant in any state or federal court.

Dated: New York, New York  
May 27, 2008

Respectfully submitted,

  
Kenneth J. King (KK 3567)  
Suzanne M. D'Amico (SD 3581)  
Attorneys for Defendant  
PEPPER HAMILTON LLP

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The New York Times Building  
620 Eighth Avenue, 37th Floor  
New York, NY 10018-1405  
(212) 808-2700

TO: Jeffrey E. Glen, Esquire  
Attorney for Plaintiff  
Anderson Kill & Olick, P.C.  
1251 Avenue of the Americas  
New York, NY 10020

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANDERSON KILL & OLICK, P.C.,

Plaintiff,

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08-CV-4565 (AKH)

BRAY & GILLESPIE, INC.; BRAY &  
GILLESPIE MANAGEMENT, LLC; CHARLES  
A. BRAY and JOSEPH GILLESPIE,

MOTION FOR ADMISSION OF M.  
DUNCAN GRANT PRO HAC VICE

Defendants.

-----X

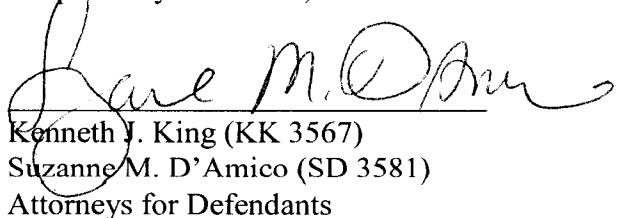
Pursuant to Local Civil Rule 1.3(c), I, Suzanne M. D'Amico, a member in good standing of the Bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

M. Duncan Grant  
PEPPER HAMILTON LLP  
3000 Two Logan Square  
Eighteenth and Arch Streets  
Philadelphia, PA 19103  
(215) 981-4000  
grantm@pepperlaw.com

M. Duncan Grant is a member in good standing of the Bars of the Commonwealth of Pennsylvania and of the State of Delaware. There are no pending disciplinary proceedings against him in any State or Federal Court.

Dated: New York, New York  
May 27, 2008

Respectfully submitted,

  
Kenneth J. King (KK 3567)  
Suzanne M. D'Amico (SD 3581)  
Attorneys for Defendants

PEPPER HAMILTON LLP  
The New York Times Building  
620 Eighth Avenue, 37th Floor  
New York, NY 10018-1405  
(212) 808-2700

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANDERSON KILL & OLICK, P.C.,

Plaintiff,

v.

08-CV-4565 (AKH)

BRAY & GILLESPIE, INC.; BRAY & GILLESPIE  
MANAGEMENT, LLC; CHARLES A. BRAY and  
JOSEPH GILLESPIE,

AFFIDAVIT

Defendants.

-----X

STATE OF NEW YORK )  
                      )  
                      ) SS:  
COUNTY OF NEW YORK )

Suzanne M. D'Amico, Esquire, being duly sworn, hereby deposes and says:

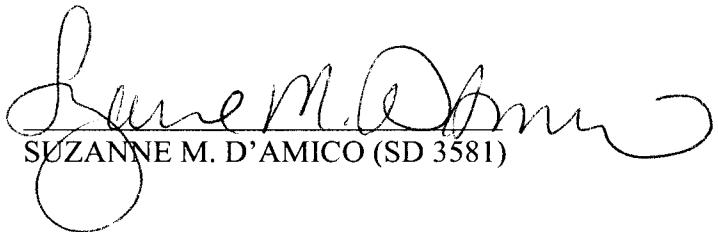
1. I am an attorney admitted to practice in the State of New York and before this Court. I am an associate with the law firm of Pepper Hamilton LLP, counsel for defendants in the above-captioned matter.

2. I submit this Affidavit in support of the motion for the admission of M. Duncan Grant to practice *pro hac vice* in the above-captioned matter.

3. M. Duncan Grant is a partner with our law firm, Pepper Hamilton LLP, at 3000 Two Logan Square Eighteenth and Arch Streets, Philadelphia, Pennsylvania 19130. As show in the Certificates of Good Standing annexed to this Affidavit as Exhibit A, Mr. Grant is a member in good standing of the Bars of the Commonwealth of Pennsylvania, admitted October 28, 1975, and of the State of Delaware, admitted December 12, 1991.

4. There are no pending disciplinary proceedings against Mr. Grant in any State or Federal Court.

5. It is respectfully requested that the Court grant the motion for an Order permitting M. Duncan Grant to appear in this action as counsel for defendants for all purposes *pro hac vice.*



SUZANNE M. D'AMICO (SD 3581)

Sworn to before me this  
27<sup>th</sup> day of May, 2008.



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Michael Palitz

Notary Public

MICHAEL PALITZ  
Notary Public, State of New York  
No. 01PA6133474  
Qualified in Westchester County  
Commission Expires 9/19/2009



Supreme Court of Pennsylvania

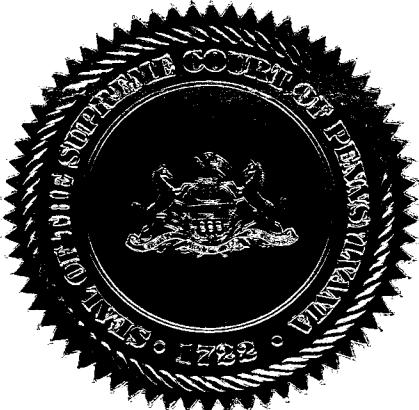
**CERTIFICATE OF GOOD STANDING**

***M. Duncan Grant, Esq.***

**DATE OF ADMISSION**

***October 28, 1975***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal  
Dated: May 7, 2008**

John W. Person, Jr., Esq.  
Deputy Prothonotary

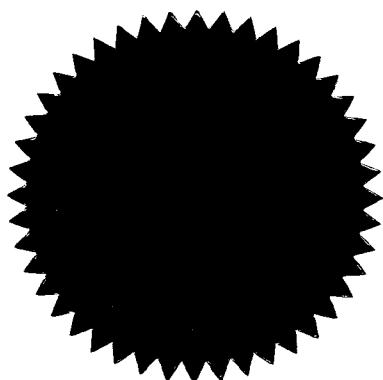
## SUPREME COURT OF THE STATE OF DELAWARE

### CERTIFICATE OF GOOD STANDING

The Clerk of the Supreme Court of the State of Delaware, the highest Court in the State, certifies that **M. Duncan Grant** was admitted to practice as an attorney in the Courts of this State on **December 12, 1991**, and is an **active** member of the Bar of the Supreme Court of the State of Delaware in good standing.

### IN TESTIMONY WHEREOF,

I have hereunto set my hand and affixed the seal of said Court at Dover this 5th day of May 2008.



Cathy L. Howard  
Cathy L. Howard  
Clerk of the Supreme Court

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ANDERSON KILL & OLICK, P.C.,

Plaintiff,

v.

08-CV-4565 (AKH)

BRAY & GILLESPIE, INC.; BRAY & GILLESPIE  
MANAGEMENT, LLC; CHARLES A. BRAY and  
JOSEPH GILLESPIE,

ORDER

Defendants.

-----X

IT IS HEREBY ORDERED, this      day of           , 2008, upon the motion of defendants Bray & Gillespie, Inc.; Bray & Gillespie Management, LLC; Charles A. Bray and Joseph Gillespie for an Order pursuant to Local Civil Rule 1.3(c) granting *pro hac vice* admission to M. Duncan Grant in connection with the above-captioned case, and upon consideration of the motion and the affidavit in support thereof, it is ORDERED that

M. Duncan Grant  
PEPPER HAMILTON LLP  
3000 Two Logan Square  
Eighteenth and Arch Streets  
Philadelphia, PA 19103  
(215) 981-4000  
grantm@pepperlaw.com

is granted *pro hac vice* admission to the bar of this Court for the purpose of participating in, arguing and trying this action on behalf of defendants Bray & Gillespie, Inc.; Bray & Gillespie Management, LLC; Charles A. Bray and Joseph Gillespie.

If counsel does not already have an ECF password, he shall promptly apply for one at nysd.uscourts.gov.

Dated: May \_\_\_, 2008

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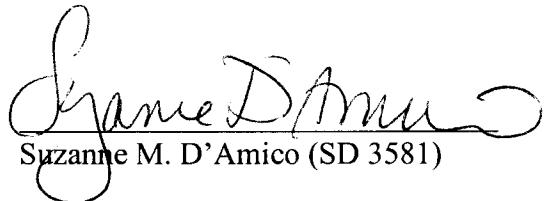
The Honorable Alvin K. Hellerstein

**CERTIFICATE OF SERVICE**

I hereby certify that on May 28, 2008, the foregoing Notice of Motion for Admission of M. Duncan Grant *Pro Hac Vice*, Motion, supporting Affidavit, and proposed Order were mailed via first-class mail to the following counsel:

Jeffrey E. Glen, Esquire  
Anderson Kill & Olick, P.C.  
1251 Avenue of the Americas  
New York, NY 10020

Attorney for Plaintiff Anderson Kill & Olick, P.C.



Suzanne M. D'Amico (SD 3581)